

REMARKS

Upon entry of the present amendment, claims 4, 8-10, 12-17, 23, 24, 29-36, and 39-43 will be pending. Claims 1-3, 5-7, 11, 18-22, 25-28, 37, 38, and 43-49 have been cancelled. Claims 8, 9, 16, 17, 29, 32, 35, and 36 have been amended to independent form as suggested by the Examiner, and other dependent claims have been amended to depend from these claims. Applicants submit that no new matter has been added.

Allowable Subject Matter

Applicants note with appreciation that the Examiner allowed claims 39-42 (at page 4). The Examiner also noted that “[c]laims 8, 9, 16, 17, 29, 32, 35, 36, 44, 46, and 49 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims” (at page 4). Applicants amended claims 8, 9, 16, 17, 29, 32, 35, and 36 accordingly and request that these claims be found allowable. To obtain a clear record, Applicants note that claims 44-49 have been previously cancelled in a Preliminary Amendment filed on September 20, 2005. PAIR shows a stamped copy confirming receipt of amended claims on September 20, 2005.

Supplemental Information Disclosure Statement

Applicants submit herewith a Supplemental Information Disclosure Statement and request consideration of all the references listed thereon.

Rejections under 35 U.S.C. § 102(b)

The Examiner rejected certain claims as allegedly being anticipated by Hill (U.S. Pat. No. 6,252,668) (“Hill”). Without conceding to the substance of the rejection but solely in the interest of moving prosecution forward, Applicants cancelled the rejected claims without prejudice, rendering the rejection moot. Withdrawal of all anticipation rejections is respectfully requested.

Rejections under 35 U.S.C. § 103(a)

The Examiner rejected certain claims as allegedly being obvious over Hill (at page 3). Without conceding the issue, Applicants cancelled the rejected claims without prejudice, rendering the rejection moot. Withdrawal of all obviousness rejections is respectfully requested.

Conclusion

The Applicants respectfully submit that all claims are in condition for allowance, which action is expeditiously requested. The Applicants do not concede any positions of the Examiner that are not expressly addressed above, nor do the Applicants concede that there are not other good reasons for patentability of the presented claims or other claims. All amendments and cancellations are made without prejudice and disclaimer. The Applicants reserve the right to pursue cancelled claims and other claims in subsequent applications.

Please apply any charges or credits to deposit account 06-1050, referencing Attorney's Docket Number 10296-066US1.

Respectfully submitted,

Date: July 17, 2004

Anna Solowiej
Anna Solowiej, Ph.D.
Reg. No. 57,093

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906